

**CITY COUNCIL  
CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 11, 2020, at the Lexington City Hall, 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Dora Vivas, Steve Smith and Jeremy Roberts. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Barb Hodges, and City Clerk Pamela Baruth. The press was represented by Clipper-Herald and Tri-City Tribune.

**NOTICE:** Notice of the meeting was given in advance, thereof by publication in the Lexington Clipper-Herald, the designated method for giving notice, as shown by the Affidavit of Publication attached to these Minutes. Notice of this meeting was simultaneously given to the Mayor and all members of the Council, and a copy of their Acknowledgment of Receipt of Notice and the Agenda is attached to these Minutes. Availability of the Agenda was communicated in advance notice and in the notice to the Mayor and Council of this Meeting. The proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. All items presented and discussed on the Agenda were available for public inspection.

**CALL TO ORDER:** The meeting was called to order by Mayor Fagot. Fagot informed the public that the Open Meetings Act is posted in the Meeting Room at the Lexington City Hall, 406 E. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 1-28-2020:** Minutes of the Regular meeting held Tuesday, January 28, 2020, were presented. Moved by Vivas, seconded by Smith, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Smith, Vivas, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$586,561.77 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Smith, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$244,638.61 from General Fund, \$50,139.57 from Street Fund, \$254,158.35 from LEXUS, \$10,000.00 from Sanitation, \$721.20 from Landfill, \$548.54 from Ambulance, \$21,230.98 from Health Fund, and \$5,124.52 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
February 11, 2020**

Acromat	OC / REC / Supplies	1,259.76
Anytime Fitness	Employee Fitness Memberships	119.96
Axxent Buildings & Doors	ST / Install Overhead Door Opener	1,290.00
Bauer Built Tire	ST / Tire Repair / Unit 115	116.95
Black Hills Energy	Gas Service	5,852.46
Cash-Wa Distributing	MOW / Food / Supplies	981.23
Cengage Learning	LB / Books	151.63
Chesterman Coca-Cola	REC / Fieldhouse / Beverages	259.20
Core & Main	EL / 12S Meters	11,609.50
Country Partners Coop	FD / Fuel	12.73
Culligan	Soft Water Supplies	474.35
Dan's Sanitation	Sanitation Fees	13,167.00
Danko Emergency Equipment	FD / Fire Gear Cleaning / Repairs	718.00

Dawson County Register of Deeds	Filing Fees	16.00
Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
Electrical Engineering & Equipment	EL/OC/Street Light Parts/ Tube Lights	347.86
Fagot Refrigeration & Electric	OC / Wiring / Installation	16,925.52
	SW / Lift Station #6 / Replace Wiring	75.00
Fastenal	REC / Fieldhouse / Supplies	90.50
Galls	PD / Uniforms	152.31
Glaze, Douglas	WWTP / Reimbursement / Safety Boots	66.87
Government Finance Officers Assn	Membership Renewal	190.00
Great Western Bank	LB / Petty Cash	258.38
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Health Claims	Claims	10,198.71
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	106.19
Homestead Bank	Beans Land Payment	46,275.31
Ideal Laundry & Cleaners	Rug Maintenance	290.47
Ingram Library Services	LB / Books	119.05
Intellicom	Tech Services / Support	2,223.50
Jamie's Garage	WR / Labor / Repairs	150.00
JEO Consulting	PK / Professional Fees	805.00
John Deere Financial	ND / WR / WWTP / Parts / Supplies	365.55
Jones Plumbing & Heating	FD/OC/PD/REC/WR/WWTP/Reps/Sales	2,396.27
K-Lawn	Lawn Care Agreement	5,444.12
Landa, Luis	WR / Reimbursement / Safety Boots	93.62
Lexington Animal Clinic	Animal Care	380.00
Lexington Area Solid Waste Agency	Waste Removal	829.74
Lexington, City Street Department	SW/WR/Interdepartmental Service Fees	5,651.89
Lexington, City of	Franchise Fees	80.20
	Interdepartmental Service Fees	67,984.75
Lexington Lions Club	Donation	210.00
Lexington Newspapers	Publications	899.58
Martin Electric	REC / FD / Parts	210.80
Matt Friend Truck Equipment	ST / Snow Blades	1,542.04
Mead Lumber	ST / WWTP / Parts	228.06
MicroMarketing	LB / Books	3,207.63
Mid-American Research Chemical	ST / De-Icer Spray	102.00
Midwest Laboratories	WWTP / Lab Testing	20.25
Miller & Associates	Hike/Bike Trail/Phase II/Design Svcs	4,075.00
	Professional Services	3,433.85
	Well #19 / Design Services	24,133.96
Milco Environmental Services	Professional Services	3,321.20
Money Handling Machines	Annual Maintenance	743.65
Morris Press	GGC / Newsletter	238.27
Nebraska Dept of Revenue	Sales and Use Tax	65,139.36
NebraskaLink	LB / Internet Service	15.00
Nur, Rukiya A	Utility Credit Return	19.95
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
One Call Concepts	Locate Fees	35.72
O'Reilly Auto Parts	ST / Parts	25.93
Orthman YMCA	Fitness Memberships	1,284.00
Platte Valley Auto Mart	PD/WR/WWTP/Oil&Lube/Parts/Reps	1,792.06

Platte Valley Communications	FD/PD/ST/Equipment/Maintenance	511.30
Platte Valley Glass & Trailers	ND / Door Repair	95.00
Plum Creek Market Place	LB/Employee Recognition/Promo Supplies	496.02
Publishers Prime	LB / Books	269.01
Polydyne Inc	WWTP / Supplies	5,704.00
Precision Detail	FD / Cleaning	300.00
Recorded Books Inc	LB / Books	628.11
Service Master of Mid Nebraska	EL / OC / Janitorial Services	8,594.14
Sirchie	PD / Supplies	192.22
Terryberry	WR / Employee Recognition Awards	358.15
Titan Machinery	ST / WWTP / Equipment Repairs	5,499.63
TO Haas Tire Co	ST / Tires	127.40
US Foods	MOW / Food & Supplies	1,215.31
USA Communications	City Internet Services	345.60
Village Uniform	GGC / Janitorial Supplies	55.84
Aflac	Premiums	1,681.55
Baker & Taylor	LB / Books	303.96
Cash-Wa Distributing	MOW / OC / ST / Food / Supplies	4,032.83
Center Point Large Print	LB / Books	180.36
Chesterman Coca-Cola	REC / Fieldhouse / Beverages	129.60
Davis Energy	Fuel	3,347.22
Dawson Public Power District	Power Purchase	10,368.10
Electrical Engineering & Equipment	EL / Street Light Parts	13.07
Electronic System Inc	GGC / LB / Fire Alarm Inspection	124.20
Fastenal	ST / Supplies	184.06
Health Claims	Claims	9,350.72
Hiland Dairy Foods	MOW / Dairy Products	312.69
Hobby Lobby	LB / Supplies	10.77
Holiday Inn - Kearney	FD / Hotels / Fire Seminar	499.75
Ideal Laundry & Cleaners	OC / Rug Service	14.14
Intellicom	Tech Services / Support	862.00
Lexington City Payroll Account		
Payroll	Wages	142,153.26
Social Security	Employer Portion / FICA Med	10,608.91
Union Bank & Trust	Employer Portion / Pension	4,756.81
Union Bank & Trust	Police Pension	2,683.00
ICMA	City Manager Pension	917.57
Lexington Health Fund	Self-Funding	42,004.63
Mead Lumber	ST / Supplies	173.85
MicroMarketing	LB / Books	45.00
Miller & Associates	ST / Engineering Services	10,880.08
Nebraska Tech & Telecom	Phone Service	1,554.59
Pace Analytical	WR / EPA Testing	536.00
Platte Valley Auto Mart	PD / WWTP / Repairs	945.94
Quick Med Claims	AMB / Billing Services	443.86
Service Master of Mid Nebraska	GGC / Janitorial Services	89.59
TO Haas Tire Co	PD / Tire Repair	19.74
US Foods	MOW / Food	315.24
U-Save Business Equipment	CM/EL/GGC/LB/PK/ST/Supplies	559.96
	TOTAL CLAIMS:	586,561.77

**ORDINANCE:** Ordinance No. 2427 entitled “AN ORDINANCE TO SET PENALTIES FOR ANIMALS AND FOWL RUNNING AT LARGE; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented on Second reading. Following discussion, moved by Vivas, seconded by Roberts, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Smith, Salem, Roberts, Vivas, Fagot. Motion carried.

Ordinance No. 2427 was presented on Final reading. Moved by Vivas, seconded by Smith, to approve Ordinance No. 2427 on Final reading. Roll call. Voting “aye” were Salem, Roberts, Smith, Vivas, Fagot. Motion carried.

**ORDINANCE:** Ordinance No. 2426 entitled “AN ORDINANCE TO CHANGE THE DEFINITIONS SET FORTH IN SECTION 6-1 AND TO REPEAL SECTION 6-37 OF THE LEXINGTON CITY CODE; AND TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented on Second reading. Following discussion, moved by Salem, seconded by Vivas, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

Ordinance No. 2426 was presented on Final reading. Moved by Salem, seconded by Vivas, to approve Ordinance No. 2426 on Final reading. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

**RESOLUTION:** Resolution No. 2020-01 was presented for Council consideration. Following discussion, moved by Roberts, seconded by Smith, to approve Resolution No. 2020-01 as presented. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

#### **RESOLUTION NO. 2020-01**

A RESOLUTION APPROVING THE CERTIFICATION ADMINISTRATOR FOR THE LVFD SERVICE AWARD PROGRAM AND THE VOLUNTEER EMERGENCY RESPONDERS INCENTIVE ACT.

WHEREAS, the Lexington Volunteer Fire Department has designated Kerry Teetor as the Certification Administrator for the LVFD Service Award Program and the Volunteer Emergency Responders Incentive Act;

BE IT RESOLVED, by the Mayor and Council of the city of Lexington, Nebraska that Kerry Teetor is hereby approved as the Certification Administrator for the LVFD Service Award Program and the Volunteer Emergency Responders Incentive Act.

**Passed and Approved this 11th day of February 2020.**

**RESOLUTION:** Resolution No. 2020-02 was presented for Council consideration. Following discussion, moved by Smith, seconded by Roberts, to approve Resolution No. 2020-02 as presented. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**RESOLUTION NO. 2020-02**

A RESOLUTION APPROVING THE LVFD SERVICE AWARD PROGRAM AND VOLUNTEER EMERGENCY RESPONDERS INCENTIVE ACT CERTIFIED MEMBER LIST FOR CALENDAR 2019.

WHEREAS, the Lexington Volunteer Fire Department members must attain Certified status as defined by the LVFD Service Award Program AND the Volunteer Emergency Responders Incentive Act in order to participate in the programs.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, the following list of members have completed the certification requirements as determined by the Certification Administrator for calendar year 2019.

Rex Adams	David Berke	Bo Berry
Michael Boling	Kristin Byrne	Alfred Copper
Gary Donnelson	Kevin Dunn	Darrel Dutro
Matthew Fitzgerald	Douglas Glaze	Dahlas Holbein
Dale Holbein	Walter Hughan	Amanda Hunt
Kent Jergensen	James Linch	Robert Martin
Trevor Miller	Troy Moore	Lance Olsen
Eldon Peck	Harrison Racek	Chad Reutlinger
Roger Reutlinger	Jon Robles	Kerry Teetor
Stephan Tuma	Eldon Wheeler	Brad Worthing
David Zlatkovsky		

Passed and Approved this 11th day of February 2020.

**PAY REQUEST:** Pepplitsch requested Council consideration of Pay Request #6-Final from TL Sund Contractors for the Workforce Training Space project in the amount of \$76,658.20. He noted the project is substantially completed with classes being currently conducted in the new classrooms. Following the update, moved by Roberts, seconded by Smith, to approve Pay Request \$6-Final from TL Sund Constructors for the Workforce Training Space project as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**WORK SESSION:** Moved by Salem, seconded by Roberts, to schedule a work session for Saturday, March 7, 2020, at 8:00 a.m. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

**ROUNDTABLE:** Hodges noted the Combined Utilities Revenue Bonds, 2020 Series, approved by Council in December 2019, closed on February 5, 2020.

**ADJOURNMENT:** There being no further business to come before the Council, Fagot declared the meeting adjourned.

John Fagot, Mayor

Pamela Baruth City Clerk

I, the undersigned City Clerk for the City of Lexington, Nebraska, hereby certify that all of the subjects included in the foregoing proceedings were contained in the Agenda for the meeting, kept

continually current and available for public inspection at the office of the City Clerk during regular business hours prior to said meeting; that the Minutes of the Mayor and Council of the City of Lexington, Nebraska, from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

/s/ Pamela Baruth  
City Clerk